



MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 175

**RENAMING, REORGANIZING AND EXPANDING THE MANDATE OF THE  
PRESIDENTIAL COMMISSION ON THE VISITING FORCES AGREEMENT  
THEREBY AMENDING EXECUTIVE ORDER NO. 199 (S. 2000)**

**WHEREAS**, Executive Order (EO) No. 199 (s. 2000) created the Presidential Commission on the Visiting Forces Agreement (PCVFA) under the Office of the President to monitor compliance with the provisions of the Visiting Forces Agreement (VFA);

**WHEREAS**, Senate Resolution No. 100 (s. 2012) expressing concurrence to the ratification of the "Agreement between the Government of the Republic of the Philippines and the Government of Australia Concerning the Status of Visiting Forces of Each State in the Territory of the Other State," hereinafter referred to as the SOVFA, urged the President to expand the mandate of the PCVFA so as to include the monitoring and coordination of pertinent activities related to the implementation of the PH-Australia SOVFA;

**WHEREAS**, the Philippines has Defense Cooperation Agreements and Memoranda of Understanding with other States with whom there are no formal Status of Forces Agreements (SOFAs) but which allow foreign militaries to conduct activities particularly Humanitarian Assistance and Disaster Relief (HADR) operations as well as other related exercises;

**WHEREAS**, as affirmed by the PH-US Mutual Defense Treaty of 30 August 1951, VFA of 10 February 1998 and the Manila Declaration of 16 November 2011, there is a need to promote common security interests with partner States and to stress the principle of collective defense;

**WHEREAS**, based on the aforementioned reasons, there is a need to expand the mandate of the PCVFA to include existing and future visiting and status of forces agreements and to rename the Presidential Commission on the Visiting Forces Agreement to reflect this broader mandate;

**WHEREAS**, Article VII, Section 17 of the Constitution provides that the President shall ensure that the laws shall be faithfully executed;



**NOW, THEREFORE I, BENIGNO S. AQUINO III**, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**SECTION 1. MANDATE.** The PCVFA is hereby renamed the Presidential Commission on Visiting Forces, hereinafter referred to as the "Commission," which shall continue to be under the Office of the President. The Commission shall be the lead inter-agency mechanism to provide policy coordination and advice, guidance, and assessment to ensure that all SOFAs serve the national interest.

For purposes of this Order, SOFA shall refer to the VFA, the SOVFA, and future status of forces agreements which may be included in the Commission's mandate by order or directive of the President.

**SECTION 2. COMPOSITION.** The Commission shall be composed of the following:

Executive Secretary	-	Chairman
Secretary of Foreign Affairs	-	Vice-Chairman
Secretary of National Defense	-	Vice-Chairman
Secretary of Justice	-	Member
Secretary of Social Welfare and Development	-	Member
Secretary of Interior and Local Government	-	Member
VFACOM Executive Director	-	Member
One (1) Representative from the Private Sector to be appointed by the President	-	Member

**SECTION 3. POWERS & FUNCTIONS.** The Commission shall have the following powers and functions:

- a) Ensure respect for Philippine laws, state policies, public morals, customs and traditions and strict compliance with the provisions of all SOFAs and the rules and regulations promulgated by the concerned Departments and Agencies;
- b) Coordinate with the concerned departments and agencies for the issuance of the appropriate Implementing Rules and Regulations (IRRs) for all SOFAs the Philippines has entered into by providing clear guidelines on, but not limited to, the following:
  - b.1. the entry, temporary stay and departure of military and civilian personnel;
  - b.2. the entry, movement and departure of military vessels, aircraft and vehicles;
  - b.3. the protection of public health and safety;
  - b.4. the protection and preservation of the environment;

- b.5. the disposition of military equipment, supplies, materials and other provisions brought into the country by military and civilian personnel; and
- b.6. the prosecution of offenses that may be committed during activities under a SOFA;
- c) Monitor and evaluate, in coordination with the appropriate government and non-government agencies, the activities of foreign military and civilian personnel for the duration of activities held under any SOFA and HADR;
- d) Organize and oversee local coordinating committees that will assist the Commission in the performance of its functions;
- e) Assess the environmental, social, health and safety impact of activities held under and in relation to a SOFA and come up with appropriate recommendations designed to mitigate the impact of such activities;
- f) Coordinate the provision of appropriate assistance to claimants for damage, loss, personnel injury or death, caused by acts or omissions of foreign personnel or otherwise incidental to the non-combatant activities of foreign forces under a SOFA or pursuant to the conduct of HADR operations;
- g) Enlist the assistance of any branch, department, bureau, office or agency of the Government in the performance of the Commission's functions;
- h) Conduct continuing information and educational campaigns on the various SOFAs;
- i) Submit to the President an annual report that contains an assessment of whether the SOFAs continue to serve, among others, the national security interest;
- j) Coordinate with the Legislative Oversight Committee in determining whether the SOFAs continue to serve, among others, the national interest;
- k) Recommend policies and/or legislation necessary for the proper enforcement of the provisions of the SOFAs;
- l) Establish official representation in all implementing organizations for relevant defense and security engagements to which a SOFA applies, such as boards, committees, groups and the like;
- m) Provide advice in negotiations and consultations that may lead to a SOFA; and



n) Perform such other powers and functions as the President may direct.

**SECTION 4. CONTROL AND SUPERVISION.** The Commission shall be under the control and supervision of the President.

**SECTION 5. EXECUTIVE DIRECTOR.** The President shall appoint the Executive Director of the Commission who shall directly report to the Chairman of the Commission. The Executive Director shall have direct operational and supervisory authority over all personnel of the Commission and over all personnel from the concerned agencies who may from time to time be detailed to the Commission to provide technical and administrative support.

**SECTION 6. FUNDING.** The initial amount of Forty Million Pesos (P40,000,000.00) shall be appropriated for the expanded operation of the Commission to be sourced from the Contingent Fund. Thereafter, such sums as may be necessary for the continued operations of the Commission shall be included in the General Appropriations Act.

**SECTION 7. PARTICIPATION BY THE PRIVATE SECTOR AND NON-GOVERNMENT ORGANIZATIONS.** In the performance of its duties and responsibilities, the Commission shall engage local private sector and non-government organizations based in the areas where activities in connection with SOFAs will be held.

**SECTION 8. SEPARABILITY.** If any provision of this Order is declared invalid or unconstitutional, all other provisions unaffected shall remain valid and subsisting.

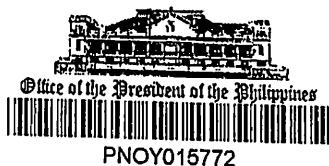
**SECTION 9. REPEAL.** All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with this Executive Order are hereby repealed or modified accordingly.

**SECTION 10. EFFECTIVITY.** This Executive Order shall take effect immediately upon approval.

**DONE** in the City of Manila, this 24<sup>th</sup> day of November in the year of Our Lord, Two Thousand Fourteen.

By the President:

**PAQUITO N. OCHOA, JR.**  
Executive Secretary



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